

Supreme Judicial Court Boston, massachusetts 02108

MARGARET H. MARSHALL CHIEF JUSTICE

February 15, 2003

His Excellency Mitt Romney Governor of the Commonwealth

Honorable Robert E. Travaglini President of the Massachusetts Senate

Honorable Thomas M. Finneran Speaker of the Massachusetts House of Representatives

Dear Your Excellency, Mr. President, Mr. Speaker:

Under the provisions of G. L. c. 211B, § 9, I am pleased to submit to you the Annual Report on the State of the Massachusetts Court System, Fiscal Year 2002. The Report highlights the accomplishments and coordinated efforts of the hardworking judges and dedicated court employees who work in the many departments and offices of the Judicial Branch. With the focus on system-wide themes and goals — fiscal management, information technology, access to justice, public outreach — the Report provides an integrated analysis of the complex work of the court system.

As the Judiciary is an independent branch of government, its constitutional role is to interpret the laws and to administer justice in a fair, impartial, and prompt manner. Despite the economic downturn and severe reductions in the Judiciary's annual appropriations during the past two years resulting in the loss of more than 1,000 court employees in the Trial Court, the Judiciary is committed to fulfilling its core mission and serving the citizens of the Commonwealth with a standard of excellence.

With fiscal challenges come opportunities for change. I welcome the opportunities. The Judiciary must rethink and reshape the way resources are allocated throughout the system to provide a more equitable distribution of services. At the same time, the Judiciary must continue to communicate its concerns about the fundamental needs of the courts to carry out its vital responsibilities. I look forward to thoughtful dialogue and cooperation among the Executive, the Legislature, and the Judiciary to ensure that public confidence in the court system remains high. I pledge to you my continuing commitment to improve the delivery of justice in the Commonwealth.

Yours sincerely,

Margaret H. Marshall

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"It is essential to the preservation of the rights of every individual, his life, liberty, property and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every Citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. ..."

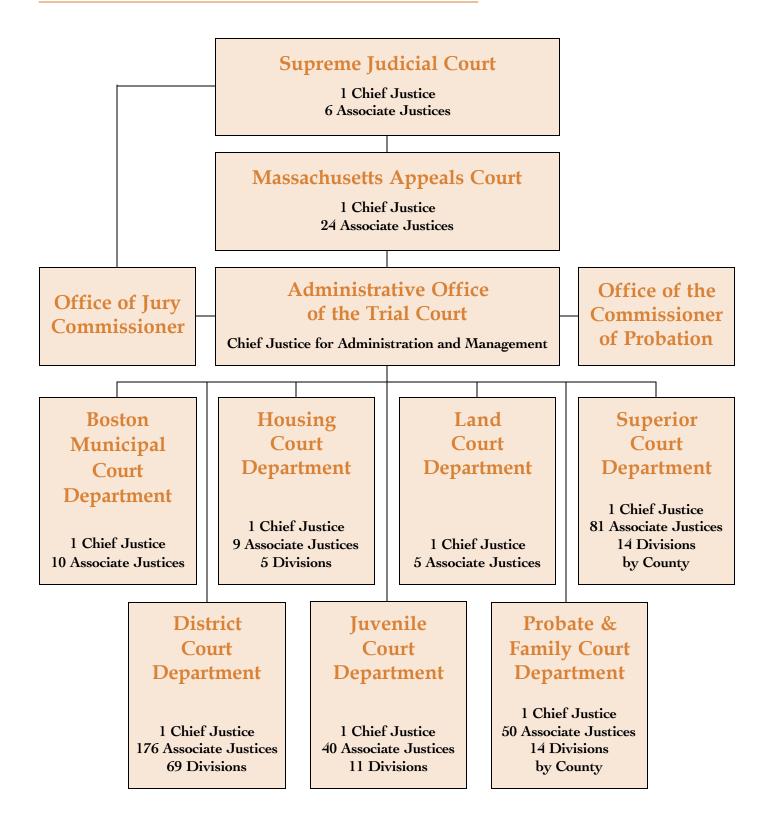


-Part One, Article XXIX, Declaration of Rights
Constitution of Massachusetts

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Fiscal year 2002 of the Massachusetts Court System began July 1, 2001, and ended June 30, 2002.

THE MASSACHUSETTS COURT SYSTEM



The number of justices for all Courts is the maximum authorized by statute; the actual number of judges varies depending on vacancies.

SUPREME JUDICIAL COURT



From left to right, seated: Justice John M. Greaney, Chief Justice Margaret H. Marshall, Justice Roderick L. Ireland, and Justice Francis X. Spina. Standing: Justice Martha B. Sosman, Justice Robert J. Cordy, and Justice Judith A. Cowin.

Chief Justice

Margaret H. Marshall

Associate Justices

John M. Greaney Roderick L. Ireland Francis X. Spina Judith A. Cowin Martha B. Sosman Robert J. Cordy

Ronald P. Corbett, Jr., Executive Director
Henry Clay, Esq., Chief Staff Counsel
Neal Quenzer, Esq., Chief Staff Counsel
Maureen D. McGee, Esq., Legal Counsel to the Chief Justice

Maura S. Doyle, Esq., Supreme Judicial Court Clerk for Suffolk County Susan Mellen, Esq., Supreme Judicial Court Clerk for the Commonwealth

1 Neal Quenzer was appointed Chief Staff Counsel, effective in October, 2002 (fiscal year 2003), upon the retirement of Henry Clay.

SUPREME JUDICIAL COURT

he Supreme Judicial Court, originally called the Superior Court of Judicature, was established in 1692 and is the oldest appellate court in continuous existence in the Western Hemisphere. It serves as the leader of the Massachusetts court system in two major respects: it holds final appellate authority regarding the decisions of all lower courts, and it exercises general superintendence over the administration of the lower courts.

The full bench, consisting of the Chief Justice and six Associate Justices, hears appeals on a broad range of criminal and civil cases from September through May. Single justice sessions are held each week throughout the year for certain motions pertaining to cases on trial or on appeal, bail reviews, bar discipline proceedings, petitions for admission to the bar, and a variety of other statutory proceedings. The Associate Justices sit as single justice each month on a rotation schedule.

In addition to its appellate functions, the Court is responsible for the general superintendence of the Judiciary and of the bar, makes or approves rules for the operations of all the courts, and has varying degrees of oversight responsibility for several entities affiliated with the Judicial Branch, including the Board of Bar Overseers, the Board of Bar Examiners, the Clients' Security Board, and the Massachusetts Interest on Lawyers' Trust Accounts (IOLTA) Committee. In certain instances, the Court also provides advisory opinions, upon request, to the Governor and Legislature.

Supreme Judicial Court Caseload

	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
Direct Entries	151	151	127	138	119
Direct Appellate Review Applications Allowed/Considered	52/102	55/100	45/85	46/86	39/104
Further Appellate Review Applications Allowed/Considered	35/551	30/639	37/618	29/427	25/656
Transferred by SJC on its Motion from Review of Entire Appeals Court Caseload:	48	46	68	43	38
Gross Entries	286	282	277	255	221
Dismissals	26	34	25	28	33
Net Entries	260	248	252	227	188

Supreme Judicial Court Dispositions

	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
Full Opinions	221	209	175	155	175
Rescripts	41	54	18	44	52
Total Opinions	262	263	193	199	227
Total Appeals Decided ¹	269	272	199	204	230

¹ Indicates the total number of appeals resolved by the Court's opinions.

MASSACHUSETTS APPEALS COURT



Top row, from left: Justices Joseph A. Trainor, David A. Mills, Phillip Rapoza, William I. Cowin, James F. McHugh, Andre A. Gelinas, Janis M. Berry, Mark V. Green, Fernande R. V. Duffly, and John H. Mason. Seated at bench: Justices Mel L. Greenberg, George Jacobs, and Frederick L. Brown; Chief Justice Christopher J. Armstrong; and Justices Charlotte Anne Perretta, Elizabeth A. Porada, and Kenneth Laurence. Standing in front of bench: Justices Barbara A. Lenk, Joseph A. Grasso, Jr., Gordon L. Doerfer, R. Marc Kantrowitz, Scott L. Kafker, Elspeth B. Cypher, Susan S. Beck, and Cynthia J. Cohen. Seated in front of bench: Recall Justices Gerald Gillerman, Kent B. Smith, Rudolph Kass, Raya S. Dreben, and Benjamin Kaplan.

Chief Justice

Christopher J. Armstrong

Associate Justices

Phillip Rapoza Andre A. Gelinas Fernande R. V. Duffly Elspeth B. Cypher John H. Mason Joseph A. Grasso, Jr. R. Marc Kantrowitz William I. Cowin Janis M. Berry Gordon L. Doerfer James F. McHugh Scott L. Kafker Cynthia J. Cohen David A. Mills Mark V. Green Joseph A. Trainor

Frederick L. Brown
Charlotte Anne Perretta
George Jacobs
Elizabeth A. Porada
Mel L. Greenberg
Kenneth Laurence
Barbara A. Lenk
Susan S. Beck

Alexander M. McNeil, Esq., Administrative Assistant Daniel W. Thurler, Esq., Special Projects Manager

Ashley Brown Ahearn, Esq., Clerk

MASSACHUSETTS APPEALS COURT

reated in 1972, the Massachusetts Appeals Court is a court of general appellate jurisdiction. Most appeals from the Trial Court are entered initially in the Appeals Court; some are then transferred to the Supreme Judicial Court, but a majority is decided by the Appeals Court. Appeals in certain cases in Trial Court departments are made first to the appellate divisions of those departments. The Appeals Court also has jurisdiction over appeals from final decisions of two state agencies: the Appellate Tax Board and the Labor Relations Commission.

The Appeals Court has a Chief Justice and twenty-four Associate Justices. The expansion of the Appeals Court begun in fiscal year 2001 was completed during fiscal year 2002 with the filling of the final three of the eleven additional judgeships. The Appeals Court welcomed Associate Justices David A. Mills, Mark V. Green, and Joseph A. Trainor. Justice Mills had extensive experience as an attorney in the public and private sectors; Justice Green was formerly a Land Court judge, and Justice Trainor was formerly a Juvenile Court judge.

During portions of fiscal year 2002 the Court was fortunate also to have the services on recall of five retired appellate judges: Justices Raya Dreben, Rudolph Kass, Kent Smith and Gerald Gillerman (all retired Appeals Court justices) and Justice Benjamin Kaplan (a retired Supreme Judicial Court justice). The collective judicial experience of the recall Justices was of immeasurable help, not only to assist the Court in its principal task of deciding cases, but also to continue to facilitate the absorption of new judges.

Like most intermediate appellate courts, the Appeals Court usually sits in panels of three. The composition of the three-judge panels changes regularly, so that each Justice has the opportunity to sit with every other Justice. The Court holds sessions in Boston every month from September through June; it also holds sessions throughout the year in locations outside Boston.

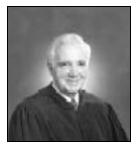
In addition to its appellate, or "panel," jurisdiction, the Appeals Court runs a continuous single justice session, with a separate docket. The single justice may review interlocutory orders and orders for injunctive relief issued by certain Trial Court departments, as well as requests for review of summary process appeal bonds, certain attorney's fee awards, motions for stays of civil proceedings or criminal sentences pending appeal, and motions to review impoundment orders. In addition, appeals from decisions of the Department of Industrial Accidents are taken to the single justice. Each Associate Justice sits as single justice for a month at a time.

Massachusetts Appeals Court Dispositions, Fiscal Year 2002

1,911
76
618
1,217
363
1,071
1,434
1,133
178
123







In the main photo, seated from left to right, are Superior Court Chief Justice Suzanne DelVecchio, Chief Justice for Administration and Management Barbara A. Dortch-Okara, and Juvenile Court Chief Justice Martha P. Grace. Standing from left to right are Housing Court Chief Justice E. George Daher, District Court Chief Justice Samuel E. Zoll, Probate and Family Court Chief Justice Sean M. Dunphy, and Land Court Chief Justice Peter W. Kilborn. In the photo at upper right is Boston Municipal Court Chief Justice William J. Tierney. In the photo at lower right is Housing Court Chief Justice Manuel Kyriakakis, who succeeded Chief Justice Daher upon his retirement on June 16, 2002.

Chief Justice for Administration and Management Barbara A. Dortch-Okara

Administrative Office of the Trial Court Acting Chief of Staff: Marilyn J. Wellington, Esq.

Boston Municipal Court Department Chief Justice: William J. Tierney¹ Chief of Staff: Patrick J. Quirk² Court Administrator: Helen A. Quigley, Esq.

District Court Department Chief Justice: Samuel E. Zoll Court Administrator: Jerome S. Berg, Esq.

Housing Court Department Chief Justice: E. George Daher Chief Justice: Manuel Kyriakakis Court Administrator: Harvey J. Chopp, Esq.

Office of the Commissioner of Probation Commissioner: John J. O'Brien Juvenile Court Department Chief Justice: Martha P. Grace Court Administrator: Jane Strickland, Esq.

Land Court Department Chief Justice: Peter W. Kilborn Court Administrator: Ellen B. Bransfield, Esq.

Probate and Family Court Department Chief Justice: Sean M. Dunphy Court Administrator: John E. McNichols, Esq.

Superior Court Department Chief Justice: Suzanne DelVecchio Court Administrator: Dana L. Leavitt

Office of Jury Commissioner Commissioner: Frank R. Davis, Esq. Acting Commissioner: Brian T. McNally³

- Chief Justice William J. Tierney retired on October 31, 2002 (fiscal year 2003).
- Patrick J. Quirk resigned on August 30, 2002 (fiscal year 2003).
- 3 Brian T. McNally became Acting Commissioner upon the retirement of Commissioner Frank R. Davis on January 31, 2002.

he Chief Justice for Administration and Management has authority over and responsibility for the administration and management of the Trial Court of Massachusetts. Assisting the Chief Justice is the Administrative Office of the Trial Court, which is made up of nine departments: Court Capital Projects Department, Court Facilities Bureau, Fiscal Affairs Department, Human Resources Department, Information Technology Department, Judicial Institute, Legal Department, Planning and Development Department, and Security Department. The Office of the Commissioner of Probation and the Office of Jury Commissioner are also part of the Trial Court. The Commissioner of Probation is appointed by the Chief Justice for Administration and Management; the Jury Commissioner is appointed by the Supreme Judicial Court.

Boston Municipal Court: The jurisdiction of the Boston Municipal Court Department is similar to that of the District Court Department for the geographic areas of downtown Boston, Beacon Hill, and part of the Back Bay. The Boston Municipal Court has county-wide jurisdiction over civil actions seeking money damages and trustee process, and statewide jurisdiction for review of findings of the State Police Trial Board.

District Court: The District Court Department has civil jurisdiction over, among other matters, money dam age cases in tort and contract; small claims; summary process; and mental health, alcoholism, and drug abuse commitments; and juvenile matters in districts without a Juvenile Court. Criminal jurisdiction includes all misdemeanors and certain felonies. The Court also has jurisdiction over evictions and some related matters, and provides judicial review of a number of governmental agency actions such as Attorney General victim compensation decisions and police department firearm license denials. There are sixty-nine divisions of the District Court.

Housing Court: The Housing Court Department has jurisdiction over the "use of any real property and activities conducted thereon as such use affects the health, welfare, and safety of any resident, occupant, user, or member of the general public" (G. L. c. 185C, § 3). The Housing Court has five divisions: Boston, Worcester, Western, Northeastern, and Southeastern Massachusetts.

Juvenile Court: The Juvenile Court Department handles criminal and civil matters concerning defendants seventeen years old and younger. It has general jurisdiction over cases involving delinquency, children in need of services, care and protection petitions, adults contributing to the delinquency of minors, adoption, guardianship, termination of parental rights proceedings, and youthful offenders. When the 1992 Court Reorganization Act is fully implemented, the Court will comprise eleven divisions in more than forty locations.

Land Court: The Land Court Department has exclusive, original jurisdiction over the registration of title to real property, all matters and disputes concerning such title subsequent to registration, and foreclosure and redemption of real estate tax liens. The Court has concurrent jurisdiction over specific performance of contracts relating to real estate and over petitions for partitions of real estate. Under G. L. c. 40A and 41, the Court shares jurisdiction over matters arising out of decisions by local planning boards and zoning boards of appeal. The Court also shares jurisdiction over the processing of mortgage foreclosure cases and determining the military status of the mortgagor. The Land Court has superintendency authority over the registered land office in each Registry of Deeds. Based in Boston, the Land Court also schedules sessions elsewhere within the state for the convenience of the public.

Probate and Family Court: The Probate and Family Court Department has jurisdiction over such family-related matters as divorce, separate support, family abuse, custody, and adoptions as well as wills, trusts, guardianships, and conservatorships. The Court has fourteen divisions.

Superior Court: The Superior Court Department has general original jurisdiction over most felonies and civil actions, including matters in which equitable relief is sought.

The Superior Court has jurisdiction to review certain administrative decisions. The Superior Court has fourteen divisions, one for each county, of which several hold sessions in more than one location.

Office of the Commissioner of Probation: This office supervises the Massachusetts Probation Service, which assists in the delivery of justice through investigations, community supervision of offenders, diversion of appropriate offenders from institutional sentences, reduction in crime, mediations, service to victims, and other community service functions. The office also oversees the Office of Community Corrections.

Trial Court by the Numbers, Fiscal Year 2002

132 buildings

7,134 employees, as of June 30, 2002

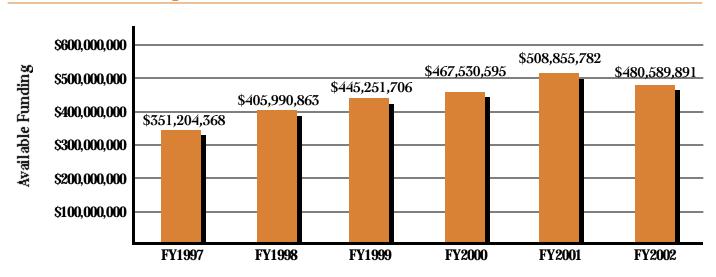
378 authorized justices

\$480,589,891 in funding

308,551 jurors served in a trial

Office of Jury Commissioner: This office oversees the selection and management of all jurors in the Commonwealth until they appear at the courthouse. The Office is responsible for the daily supervision of the nation's first statewide implementation of the One-Day/One-Trial Jury System, in which jurors complete service in one day or serve for the duration of one trial. Fifty-seven jury pool locations throughout the Commonwealth are supplied daily with jurors.

Trial Court Funding



Breakdown of Trial Court Funding, Fiscal Year 2002

	Dollar Amount	Percent of Total
Trial Court Operating Appropriations	\$466,304,564	97.0%
Collective Bargaining Reserves	\$2,768,142	0.6%
Capital Bond and Trust Funds	\$2,896,930	0.6%
Automation Bond Funds	\$3,658,951	0.8%
Grants, Trusts, and Intergovernmental Funds	\$4,961,304	1.0%
Total	\$480,589,891	100%

Trial Court Expenditures, Fiscal Year 2002

	Dollar Amount	Percent of Total
Judicial Salaries	\$39,555,019	8.5%
Court Employee Salaries	\$310,438,091	66.9%
Employee Related Expenses	\$12,428,657	2.7%
Case Driven Expenses	\$20,519,975	4.4%
Law Library Expenses	\$3,506,978	0.8%
Office and Court Operations	\$25,254,178	5.4%
Facility Rental, Maintenance, and Operation	\$52,442,791	11.3%
Total	\$464,145,689	100%

Trial Court Interdepartmental Transfers, Fiscal Year 2002

Department	Total Transferred Within Department	Total Transferred Between Departments	Total Transferred
Central Accounts	\$1,012,196	\$963,383	\$1,975,579
Superior Court Department	\$368,741	\$0	\$368,741
District Court Department	\$2,861,290	(\$667,836)	\$3,529,126
Probate and Family Court Department	\$665,674	\$0	\$665,674
Land Court Department	\$0	\$0	\$0
Boston Municipal Court	\$0	(\$295,547)	\$295,547
Housing Court Department	\$182,331	\$0	\$182,331
Juvenile Court Department	\$789,076	\$0	\$789,076
Totals	\$5,879,308	\$0	\$6,842,6911

The total of \$6,842,691 includes the total transferred within departments, \$5,879,308, and the total transferred between departments, \$963,383. Figures for each department in the Total Transferred column treat negative amounts (in parentheses) as positives to accurately show the total transferred for each department; the negative figures are not, however, included in the total at the bottom of the column.

FIVE-YEAR SUMMARY OF CASES ENTERED

Five-Year Summary of Cases Entered in Massachusetts Courts¹

Court/Case Type	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
Boston Municipal Court					
Criminal Cases	7,120	6,721	6,630	6,080	7,737
Civil Cases ²	13,457	11,046	10,899	9,125	8,732
Specialized ³	15,906	14,193	14,025	11,404	13,803
Clerk Hearings	8,864	8,464	4,915	8,822	10,410
District Court					
Criminal Cases	259,683	252,978	247,109	244,239	252,913
Juvenile Cases ⁴	19,294	10,738	5,844	5,631	6,222
Civil Cases ⁵	55,636	57,823	57,176	60,189	59,511
Specialized ⁶	195,295	195,712	194,629	200,124	207,259
Clerk Hearings	299,593	291,962	290,585	293,756	295,532
Housing Court ⁷	35,460	40,933	40,433	41,140	39,753
Juvenile Court					
Delinquency	16,911	30,103	31,711	30,479	32,221
Youthful Offenders	398	829	648	571	438
Adults	205	309	576	639	677
CHINS Petitions	3,569	4,734	5,314	5,767	5,612
Care & Protection	1,234	1,873	2,229	2,392	2,251
Land Court					
Decree & Sub Plans	423	466	396	398	316
Entries ⁸	13,553	12,365	11,454	11,184	12,634
Probate & Family Court ⁹	158,074	150,560	152,687	154,067	154,974
Superior Court					
Criminal Cases	8,334	8,840	5,018	5,009	5,621
Civil Cases ¹⁰	30,716	28,432	29,965	24,829	25,041
Appeals Court	2,329	2,298	2,164	1,731	1,911
Supreme Judicial Court					
Cases Entered ¹¹	852	936	898	694	917
Single Justice Cases	804	698	580	596	600
Bar Docket Cases	81	70	82	78	94

¹ Neither Trial Court totals nor Judicial Branch totals are included in this table because cases in the different courts are not weighted to reflect their differential impact on court workload. Even the totals included in this table mask trends such as the increase in abuse prevention proceedings or changes in pending caseload. For a more complete understanding of caseload trends and issues, refer to each court department's separate statistical data, at www.state.ma.us/courts. regular and remand cases. ⁵ Includes abuse prevention petitions, mental health petitions, small claims, summary process, supplementary process (civil and small claims), and other civil cases. ⁴ Includes delinquency, CHINS, and ⁵ Includes regular and remand cases. ⁶ Includes abuse prevention petitions, mental care and protection cases. ⁷ Includes criminal, sumhealth petitions, small claims, summary process, supplementary process, and other civil cases. mary process, small claims, and civil cases. ⁸ Includes land registration, tax liens, and miscellaneous. divorce, separate support, abuse prevention, contempt, modifications, paternity, termination of parental rights, adoptions, wills and administration, guardianship and conservatorship, equity, and other actions. ness litigation, real property, equitable remedies, and miscellaneous. ¹¹Includes direct entries, applications for direct and further appellate review, and transfers after review of entire Appeals Court caseload.

RECOMMENDATIONS

The Supreme Judicial Court recommends that the Executive and Legislative branches support policy initiatives necessary for the continued improvement of the administration of justice and of a modern, service-oriented court system.

As the Commonwealth of Massachusetts is confronting a second consecutive year of severe fiscal constraints in all sectors of government, the Judiciary, like the other branches, must meet the challenges ahead with a flexible management approach and appropriate resources. The Supreme Judicial Court recommends the following:

Appropriations Based on Staffing Models

Sound workload models to ensure that each court location has sufficient numbers of judges and court employees to serve the public need to be employed. In Fiscal Year 2002, the Trial Court lost approximately 1,000 employees due to attrition, early retirement incentives, and layoffs, resulting in a significant reduction of the work force available to conduct court business. With equitable staffing models, it is likely that transfers of some court personnel will be necessary. Budget appropriations for the Judiciary should necessarily reflect the staffing models to be deployed in an effort to meet the demands of the public. Consistent with this approach, future inter-branch discussions of budgetary issues should reflect a workload perspective.

Transferability of funds

During the previous fiscal year, the Supreme Judicial Court, in conjunction with the Administrative Office of the Trial Court, requested from the Legislature a statutory change which would permit greater flexibility in the transfer of funds from one account to another, both within and between court departments. The Legislature approved this request and the resulting authority enabled the Administrative Office of the Trial Court to address funding disparities and to allocate fiscal resources in a manner consistent with responsible management. The authorization to transfer funds, as appropriate, should be extended into the future to equip the Trial Court with an essential management tool for maintaining services for the public.

FISCAL MANAGEMENT

Faced with severe fiscal challenges, the Judicial Branch endeavored to reduce costs through prudent management, cost-saving initiatives, and grant-funded programs. For the first time in a decade, the operating budget for the Trial Court, including the seven court departments, the Office of the Commissioner of Probation, the Office of Jury Commissioner, and the Administrative Office of the Trial Court, decreased from the previous fiscal year. The reduced Trial Court budget, combined with mandatory cost increases for collective bargaining agreements, space rental, and case-related non-employee services, resulted in a shortfall of \$42 million.

- Chapter 177, § 71, of the Acts of 2001 enabled the Chief Justice for Administration and Management to transfer funds across and within departments without prior approval of the Legislature. This flexibility enhanced the Administrative Office of the Trial Court's ability to manage the fiscal year 2002 budget. As a result, the AOTC completed
- 226 transfers involving \$6,842,691, allowing the Chief Justice to balance funding among all Trial Court departments, divisions, and offices.
- ♦ AOTC personnel transactions focused on cost-saving measures throughout fiscal year 2002, including a hiring freeze, leaves of absence, reduced work schedules, a salary deferral program, layoffs, and an early retirement program.
- The AOTC Human Resources Department negotiated agreements with all employee unions to address budget deficits that required reduction of the employee work force. The provisions of the agreements included language regarding recall rights, the role of seniority in the layoff process, and the early retirement program.
- Supreme Judicial Court Chief Justice Margaret H. Marshall and Chief Justice for Administration and Management Barbara A. Dortch-Okara appointed a Budget Advisory Committee, consisting of judges and court employees, to recommend costcutting initiatives throughout the Trial Court. The Committee, chaired by Dedham District Court Judge Lynda M. Connolly, provided recommendations in June 2002 after soliciting ideas during a series of open meetings at several courthouses. The Committee is continuing its work in fiscal year 2003.
- ♦ To reduce postage, material, and printing costs, the Office of Jury Com missioner suspended the summonsing of prospective jurors to

- jury pools on Fridays. The measure, approved by Chief Justice for Administration and Management Barbara A. Dortch-Okara, also freed courthouse jury personnel for other duties on Fridays.
- ♦ The AOTC
 Office of Court
 Interpreter Services
 streamlined expenses
 by limiting coverage
 to half days and
 assigning interpreters
 within geographic
 regions, thereby
 reducing travel
 expenses. The
 changes saved the
 Trial Court \$82,700
 over three months.
- The AOTC
 Judicial Institute
 received more than
 \$50,000 from outside
 organizations to
 enhance the
 Institute's ability to
 provide quality education and training to
 court personnel.

The Trial Court's Reinventing Justice mini-grant program to help courts develop community outreach projects enabled the Newton District Court to help families combat teen substance abuse. A grant of \$3,961 funded the publishing of sixteen-page English and Russian brochures on substance abuse and "Teen Help Cards" listing hotline and local service telephone numbers. The project also served as a catalyst for a joint effort by the Court, Newton Public Schools, and Newton Police Department to sponsor a middle-school educational program. Leading the project for the Court were, from left, Middlesex County Juvenile Court Probation Officer Debra L. D'Arcy, Newton District Court First Justice Dyanne J. Klein, and Newton District Court Assistant Clerk-Magistrate Catherine M. Coughlin.



FISCAL MANAGEMENT



Dorchester District Court First Justice Sydney Hanlon conducts a session of the Domestic Violence Court, with the assistance of Associate Probation Officer Patrick Skehill, standing behind the bench, Assistant Clerk-Magistrate Elaine Gately, standing, and Case Specialist Shalese Leonard, seated. The session, which has become a national model for reducing domestic violence, benefits from grant funding by the U.S. Department of Justice.

Grant Awards to the Trial Court

Administrative Office of the Trial Court

Domestic Violence Court
Assessment \$113.858

Probate and Family Court

Interactive Children's Assistance Resource \$46,000

Brighton District Court

Treatment Coordinator \$25,000 Suffolk County Drug Courts Enhancement \$300,000

Dorchester District Court

Judicial Oversight Demonstration Project \$363,963

Hampden Juvenile Court

Juvenile Drug Court
Implementation \$500,000

West Roxbury District Court

Forensic Access to Community
Services \$56,364

Office of the Commissioner of Probation

Domestic Violence Training
Project \$7,500

Several court projects received funding through grants awarded to collaborating partners. A grant of \$499,973 to the City of New Bedford allowed the New Bedford District Court's drug court session to complete its second year of operation. The Haverhill and Lawrence District Courts expanded their drug court programs through two new grants for \$300,000 each to the Essex County Sheriff's Department and the City of Lawrence, respectively.

♦ The Office of the Commissioner of Probation and the

Massachusetts Parole Board were awarded a grant of \$220,504 from the U.S. Department of Justice's Center for Sex Offender Management Enhancement Program to fund an advocate position in the Dudley District Court to work with victims of sexual assault.

A \$200,000 federal Byrne Memorial Grant enabled probation officers who have completed Substance Abuse Specialist Training to be provided with state-of-the-art drug-testing supplies. With the supplies, probation officers can monitor substance abuse and

help determine appropriate treatment and probation conditions.

- The Trial Court Law Libraries capped the amount of materials supplied to each judge in its "Home Resource Program," resulting in a savings of \$23,000, the cost of two-thirds of a Law Library Assistant position.
- The Land Court reduced mailing and printing costs by emailing decisions to the seventeen Trial Court Law Libraries, producing court forms inhouse, and, when appropriate, requiring counsel to provide the Court with self-addressed stamped envelopes.

NOTABLE EVENTS

Supreme Judicial Court Chief Justice Margaret H. Marshall addresses several hundred people, including leaders of the Judicial, Executive, and Legislative Branches, during ceremonies marking the renaming of the Old Suffolk County Courthouse as the John Adams Courthouse. Festivities, held at the Social Law Library on June 12, included a ceremonial signing of the naming legislation by then Governor Jane Swift. Seated to the left of the podium, from the left, are: Massachusetts Attorney General Thomas F. Reilly, Speaker of the House of Representatives Thomas M. Finneran, Chief Justice for Administration and Management Barbara A. Dortch-Okara, Massachusetts Division of Capital Asset Management missioner David B. Perini, and Governor Swift.



Significant court events and activities that occurred throughout the year are notable for their impact on the public.

- Expansion of the Massachusetts Appeals Court, which began in fiscal year 2001, was completed during fiscal year 2002 with the creation of three additional judgeships. With the arrival of three new Justices. the Massachusetts Appeals Court disposed of 217 more cases than it took in during fiscal year 2002. Intervals
- between completion of briefing and consideration of cases declined from twentyone months to fourteen months for civil cases, and from twelve months to six months for criminal cases.
- ♦ To better serve the public in central Massachusetts, two divisions of the Housing Court expanded their jurisdiction. The

Worcester County
Division added the
towns of Marlborough, Hudson,
and Devens, and the
Northeastern
Division expanded to
include the towns of
Acton, Ayer,
Boxborough,
Carlisle, Concord,
Littleton, Maynard,
and Stow.

 The Supreme Judicial Court Committee on Judicial Performance Evaluation completed its pilot round of evaluations. In November, 2001. analyses of attorneys' and court employees' responses to questionnaires concerning the performance of sixtyfour judges in Bristol and Plymouth counties were sent to SJC Chief Justice Margaret H. Marshall, Chief Justice for Administration and Management Barbara A. Dortch-

Okara, the sixtyfour judges, and their respective departmental Chief Justices. The Committee conducted three more rounds of evaluations in fiscal year 2002: all Land Court judges; Superior Court, District Court, Probate and Family Court, and Juvenile Court judges in Barnstable, Dukes, and Nantucket counties: and Juvenile Court and Probate and Family Court judges in Suffolk County.

NOTABLE EVENTS



Springfield Assistant Chief Court Officer
Phyllis Ainsworth-Okamura
2002 Trial Court Employee of the Year



At a luncheon in November 2001, Chief Justice for Administration and Management Barbara A. Dortch-Okara and other Trial Court Chief Justices and top administrators honored twenty-two employees who had worked for the Trial Court for forty years or more. In the photo above, Chief Justice Dortch-Okara presents a Certificate of Appreciation to Boston Juvenile Court Chief Probation Officer Joseph M. O'Reilly in recognition of his forty-six years of service.

2002 Trial Court Employee Excellence Award Winners

Miriam Brady, Case Specialist Orleans District Court

Jane Crowe, Administrative Assistant II Office of the Commissioner of Probation

Annette Fellows, Case Specialist Suffolk Juvenile Court

James Gavaghan, Operations Supervisor Suffolk Probate and Family Court

Joseph Hanrahan, Court Officer Worcester Housing Court

Dorothy Hopkins, Head Administrative Assistant Boston Municipal Court

Paul Johnston, Lead Court Analyst IT Project

Jon Leconte, Probation Officer Bristol Probate and Family Court

Lynne Lynch, Operations Supervisor Essex Probate and Family Court

Dennis Maietta, Assistant Chief Probation Officer Falmouth District Court

Maureen McEachern, Assistant Chief Probation Officer Somerville District Court

Kathleen Mitchell, Head Administrative Assistant Barnstable County/Town of Plymouth Juvenile Court

Karen Nagle, Case Coordinator Lynn District Court

Pauline Passanisi, Judicial Secretary Norfolk Superior Court

Jean Pepper, Court Interpreter Lynn District Court

John Raftery, Court Officer South Boston District Court

Renee Sherman, Case Specialist III Northern Berkshire District Court

- Enactment of Chapter 70 of the Acts of 2002 extended the Civil One-Trial Project in Berkshire, Essex. Middlesex. and Norfolk counties. and expanded it to Barnstable, Bristol, Dukes, Franklin, Hampden, Hampshire, and Nantucket counties. Among other provisions, the Project, which began in 1996, creates exclusive District Court jurisdiction in civil actions involving claims of \$25,000 or less, eliminating the complicated and timeconsuming system of
- remand and removal of civil cases back and forth between District Court and Superior Court.
- ♦ Upon the recom mendation by the Chief Justice for Administration and Management, the Supreme Judicial Court substantially amended Trial Court Rule III. the Uniform Small Claims Rules, effective January 1, 2002. The rules now conform with existing statutory changes, and provide for a streamlined process of judgment satisfaction through auto-
- matic payment review hearings.
- From its inception in October, 2000, through August, 2002, the Suffolk Superior Court's **Business Litigation** Session resolved 252 cases through trial, dispositive motion, or settlement, along with a small number through bankruptcies and stays for arbitration. The Session provides the continuity of a knowledgeable single judge on a case, firm trial dates. timely decisions, and specially tailored tracking orders.

NOTABLE EVENTS

Extensive work to renovate the Old Suffolk County Courthouse, renamed the John Adams Courthouse, began in November, 2001. When completed in 2004, the 109-year-old home of the Supreme Judicial Court, the Massachusetts Appeals Court, and the Social Law Library will be one of the most technologically advanced courthouses in the nation. The artist's rendering at right shows the Courtroom of the Supreme Judicial Court, and the rendering below illustrates the dramatic architecture and restored ceiling that will greet visitors as they enter the Great Hall of the Courthouse.

- Following an extensive review and analysis, the Trial Court amended its Child Support Guidelines, effective February 15, 2002. The amendments were made following a series of public forums in Boston. Brockton, Lawrence, Springfield, and Worcester, at which 130 individuals testified. More than 160 people also submitted written comments. Trial Court judges use the Guidelines. which are available on the Judicial Branch website. www.state.ma.us/courts, to determine what level of child support payment should be provided to custodial parents in divorce and paternity cases.
- The Legal Department of the Administrative Office of the Trial Court promulgated a handbook for the Warrant

- Management System and provided statewide training, resulting in a greatly increased rate at which warrants are successfully entered into the criminal justice system's computer network.
- Trial Court judges who were appointed to the bench since June 1, 2000, attended a four-day educational conference in Salem in March. 2002. Forty-five judges from six Trial Court departments attended. The conference, organized by the Administrative Office of the Trial Court's Judicial Institute and the Flaschner Judicial Institute, covered such topics as managing case flow, conducting specific types of hearings, and handling substance abuse and domestic violence issues.

Courtesy Social Law Library

The SJC Judiciary/Media Committee sponsored with the Flaschner Judicial Institute a "Public Records and Media Issues" program for clerks and registers, held in Worcester on November 9, 2001. Co-chaired by SJC Justice John M. Greaney and Springfield Union-News Publisher Larry McDermott, the Judiciary/Media Committee also began planning for several programs for judges and the media in 2003, including a Journalism School for Judges and a Law School Roundtable seminar for the media. Committee members also helped to develop a New England Cable News television program on "Children and the Courts," which aired in December 2002.



Courtesy Social Law Library

III

INFORMATION TECHNOLOGY



The Information Technology Project in fiscal year 2002 focused on developing Mass-Courts, one of the nation's most advanced automated court case management and docketing systems, which will enable every Trial Court department and division in the Commonwealth to share case information. Seated, from left, are Susan A. Laniewski, Esq., IT Project Manager; Hon. Timothy S. Hillman, IT Project Executive; and Denise M. Queally, Esq., Deputy IT Project Manager. Standing, from left, are staff members Dennis Roach, Paul Johnston, Renee Morgan, Jane Volden, Hazel Stanton, William Letendre, Jennifer Mason, Mark Prior, Lori Warren, and Geeta Singh. Not pictured are Hon. Herman J. Smith, Jr., Chair of the Project Advisory Board, and staff member Elton Jenkins.



A presenter from a company competing for the MassCourts contract addresses the Information Technology Project Evaluation Team, consisting of thirty-seven representatives of the Judicial and Executive branches, during the rigorous vendor selection phase of the MassCourts project.

Recognizing that the delivery of justice is enhanced by the efficient gathering, analysis, and communication of information, the Judicial Branch has made great strides in expanding its technological capabilities and preparing for future improvements.

- The Trial Court Information Technology Project finalized the voluminous MassCourts Request for Responses, which defines the functional requirements, procedures, and work flow of the Trial Court's next-generation, comprehensive automated case management system. The IT Project also appointed and trained a team of thirty-seven representatives from the Judicial and Executive branches to evaluate vendor
- proposals. IT Evaluation Team members spent hundreds of hours preparing for the *MassCourts* bidding process, to ensure selection of the most qualified vendor in fiscal year 2003.
- The Supreme Judicial Court and the Massachusetts Appeals Court continued a multi-year modernization plan for information technology. The courts procured a powerful and comprehensive document management system (DMS)

to facilitate the researching and writing of appellate decisions and other court work. The courts also began developing an electronic filing system to enable attorneys and others to file documents with the appellate courts via the World Wide Web and store the documents in electronic case folders in the new DMS. The two new systems also were integrated with the courts' existing case management system.

Ш

INFORMATION TECHNOLOGY

- The Administrative Office of the Trial Court Information Technology Department and the IT Project collaborated in the continuing deployment of Basic **Court Operations** Tools case management systems. The BasCOT Criminal system used by the District Court was enhanced by adding full warrant management functionality and links to the Committee for Public Counsel Services for processing notices of appointments of counsel. By the end of the fiscal year, BasCOT Civil was deployed in 35 District Courts, with the remaining 34 divisions to receive it in fiscal year 2003. BasCOT Civil also was fully implement-
- ed in all fourteen divisions of the Probate and Family Court. Land Court also uses BasCOT to meet its unique case management needs.
- Implementation of the CARIWeb System, an Internetbased link to the state-wide Criminal Activities Records Information database. greatly facilitated the printing of records by probation departments and other court personnel throughout Massachusetts. The system was designed and implemented through cooperation by the AOTC Information Technology Department and the Office of the Commissioner of Probation, and funded through a grant from the U.S. Department of
- Over 95 percent of criminal complaint applications are processed electronically in the Boston Municipal Court. Using BasCOT, the Court electronically coordinates all aspects of scheduling, docketing, and financial and accounting functions, with a direct link to the Warrant Management System and federal law enforcement computers. BasCOT also provides court staff with the ability to search for cases by defendant or docket. and review session traffic, calendars and schedules.
- The Clerk of the Appeals Court began inviting litigants whose cases are scheduled for oral argument to file an extra copy of their

- briefs in electronic form. The office also began a project of scanning criminal transcripts into PDF format. These electronic versions of documents are made available for use by judges and staff in the electronic case folders within the Court's new Document Management System.
- The Supreme Judicial Court and the Appeals Court began drafting, and acquired hardware to implement, a Disaster Recovery/ Business Continuity Plan that will allow the Courts to continue operations following a catastrophic event.
- Videoconferencing equipment installed at five locations throughout the state helped the

- Superior Court and some District Courts save time and transportation and security costs. Among other uses, the equipment is used for conferences between iudges and court staff; for medical malpractice tribunals by doctors and others; and for hearings and arraignments involving incarcerated prisoners.
- A state-wide photo-identification card system for judges, court employees, and other authorized individuals was completed by the AOTC Security Department in September 2001. Holders of the cards were required to present them at building entrances, or use them at electronic access control devices to bypass security screening.

Iudicial Branch Websites

Justice.

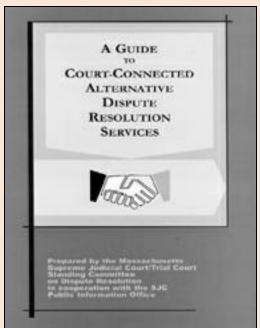
Massachusetts Judicial Branch: www.state.ma.us/courts and www.mass.gov/courts	Massachusetts Interest on Lawyers' Trust Accounts Program: www.maiolta.org
Supreme Judicial Court Reporter of Decisions: www.massreports.com	Office of Jury Commissioner: www.massjury.com
Supreme Judicial Court Clerk for Suffolk County: www.sjccountyclerk.com	Massachusetts Trial Court Law Libraries: www.lawlib.state.ma.us
Board of Bar Examiners: www.mass.gov/bbe	Social Law Library: www.socialaw.com
Board of Bar Overseers and Office of Bar Counsel: www.mass.gov/obcbbo	John Adams Courthouse Renovations Project: http://renovation.socialaw.com
Commission on Judicial Conduct: www.state.ma.us/cjc	Supreme Judicial Court Historical Society: www.sjchs-history.org

IV

ACCESS TO JUSTICE



The Racial and Ethnic Access and Fairness Advisory Board and the Gender Equality Advisory Board to the Chief Justice for Administration and Management revised the 1993 Court Conduct Handbook in fiscal year 2002. The updated guide, "Within our Reach: Gender, Racial and Ethnic Equality in the Courts," provides guidelines for judges, court employees, attorneys, and members of the public to promote gender, racial, and ethnic equality in the courts. In the photo are: Southern New England School of Law Dean Robert V. Ward, Co-Chair of the Racial and Ethnic Access and Fairness Board; Chief Justice for Administration and Management Barbara A. Dortch-Okara; Chelsea District Court First Justice Timothy H. Gailey, Vice Chair of the Gender Equality Advisory Board; and Boston Juvenile Court Judge Leslie Harris, Co-Chair of the Racial and Ethnic Access and Fairness Board. Superior Court Judge Nonnie S. Burnes, Chair of the Gender Equality Advisory Board, and Lois Frankel. Trial Court Coordinator for Gender Issues, also worked on the guide.



Copies of "A Guide to Court-Connected Alternative Dispute Resolution Services," which describes seven ADR processes in detail, may be obtained by contacting the Trial Court Coordinator of ADR Services, at (617) 742-8575, or the Supreme Judicial Court Public Information Office, at (617) 557-1114.

The Massachusetts court system is fundamentally committed to ensuring equal access to justice for all citizens, regardless of race, ethnic heritage, gender, disability, and economic capability.

Through funding specified in the fiscal year 2002 budget, the Probate and Family Court and the Juvenile Court offered permanency mediation services state-wide.

state-wide.
Permanency mediation is an alternative to contested court proceedings for children in the state foster care system. Using a child-centered, family-focused approach, trained mediators facilitate agreements among birth, foster, and adoptive parents to develop coopera-

tive plans for the children affected by cases involving termination of parental rights and care and protection issues.

The Supreme Judicial Court/Trial Court Standing Committee on Dispute Resolution distributed to attorneys and litigants the 20-page "Guide to Court-Connected Alternative Dispute Resolution Services." The booklet describes seven ADR methods, including mediation, case evaluation, conciliation, arbitration,

dispute intervention, mini-trial, and summary jury trial.

Funding for Alternative Dispute Resolution services in the Trial Court was allocated for fourteen contracts with identified community programs that provided mediation services in small claims, summary process, minor criminal, and some parent-child related cases in more than forty-five District Courts and Juvenile Courts throughout the Commonwealth.

IV

ACCESS TO JUSTICE

- Updated information governing admission to the bar can be found on the Board of Bar Examiners' website, www.mass.gov/bbe. The site contains applications that can be downloaded, completed and filed, and an alphabetic listing of applicants who have passed the last written bar exam. The site received an average of 42,777 hits per month during the fiscal year.
- The SJC
 Reporter of
 Decisions, in conjunction with the
- SJC Clerk for the Commonwealth, launched its website. www.massreports.com, in February, 2002. By the end of the fiscal year, the site had received nearly 65,000 hits from more than 9,000 visitors. Approximately 1.200 users of the site receive automatic, daily e-mail delivery of the appellate courts' opinions. The site provides the text of SJC and Massachusetts Appeals Court opinions on the morning they are released, a fully searchable
- Internet advance sheet service, a revised SJC style manual, the text of special SJC sittings held in memory of SJC Justices, and useful links to various federal and state courts and other legal resources.
- Americans with Disabilities Act
 Court Coordinators took part in an educational program offered by the Administrative
 Office of the Trial
 Court's Judicial
 Institute, in coordination with the
 AOTC Legal,
- Human Resources, and Court Capital Projects departments. More than 150 court employees at courthouses throughout the state work to ensure equal access to justice for all people, regardless of the presence of a disability.
- The Probate and Family Court, in collaboration with the AOTC Office of Interpreter Services, translated two pamphlets, "Before Going into Court" and "Before Asking for Help," into Spanish and
- Portuguese. The Court also created a series of booklets for individuals petitioning to be appointed a Guardian of a Minor. The booklets provide step-by-step instructions on completing the filing process, serving notice to parents, and requesting appointment as temporary guardians.
- To assist attorneys and unrepresented litigants, the SJC Clerk for the Commonwealth implemented a pilot project to send out court notices via email.

The Supreme Judicial Court Steering Committee on Unrepresented Litigants began meeting in April, 2002, to determine ways to make the justice system better meet the challenges posed by the growing number of litigants unrepresented by attorneys. The Committee is reviewing extensive work already done on the topic by courts, committees, and bar associations in several states, and developing concrete, practical solutions for courts to follow. Massachusetts Appeals Court Justice Cynthia J. Cohen, fourth from right, is Chair of the Committee. Working on the project, from left, are: Karen Franzek, Law Clerk for Justice Cohen: Committee member Marlene M. Ayash, Land Court Administrative Attorney; Christine Burak. Supreme Judicial Court Administrative Attorney; and Committee members Hon. Thomas C. Horgan, Associate Justice of the Boston Municipal Court; Thomas R. Lebach, Clerk-



Magistrate of the Plymouth County Juvenile Court; Maura S. Doyle, Supreme Judicial Court Clerk for Suffolk County; Hon. Lawrence Wernick, Associate Justice of the Superior Court; Marnie Warner, Law Library Coordinator; and David A. Schwartz, Probate and Family Court *Pro Se* Coordinator.

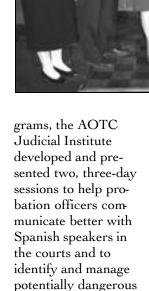
IV

ACCESS TO JUSTICE

On behalf of the Supreme Judicial Court Standing Committee on Pro Bono Legal Services, Supreme Judicial Court Justice Francis X. Spina presented the first Adams Pro Bono Publico Awards to three recipients for their outstanding commitment to volunteer legal services for the poor and disadvantaged. Pictured at the awards ceremony in the Supreme Judicial Court Courtroom in May, 2002, from left, are SJC Justice Martha B. Sosman; Justice Spina; Attorneys Toni Wolfman and Michele Whitham, representing award recipient Foley Hoag LLP of Boston; Worcester Attorney and award recipient Henry B. Raphaelson; SJC Chief Justice Margaret H. Marshall; Boston Attorney and award recipient S. Stephen Rosenfeld; and Boston Attorney Mary K. Ryan, Chair of the Committee.

- In June. 2002. the Probate and Family Court held a two-day training program for Registry personnel who assist pro se litigants. Session topics included guidance on assisting individuals with information rather than legal advice; on working effectively with persons with mental or physical disabilities; and on reviewing lawyer referral services, legal service agencies, and resources within the court system. Participants also received extensive resource manuals for use in their divisions.
- ♦ The SJC Office of the Clerk for Suffolk County launched its website, www.sjccountyclerk.com, which provides a comprehensive resource for judges, practitioners, candi-

- dates for admission to the bar, and members of the public. A wide range of useful information is available, including an extensive guide to single justice practices and procedures, and downloadable bar application forms. Attorneys can also request certificates of good standing through the website.
- Members of the bar and public may access all the rules. recent decisions and a collection of articles on ethical issues at the Office of Bar Counsel website. www.mass.gov/obcbbo. The site also includes links to Board of Bar Overseers information, and a listing of the status of all attorneys registered in Massachusetts.
- Among its many educational pro-



situations arising in

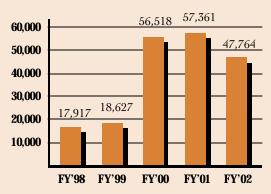
the course of their

duties.

A member of the staff of the AOTC Court Capital Projects Office worked on a near full-time basis with the state Division of Capital Asset Management, the Massachusetts Office on Disabilities, and the AOTC Legal Department to develop an ongoing training and assessment program to make courthouses more accessible to the physically challenged.

Office of Court Interpreter Services

Requests for Services



Requests for Services, by Language, in Fiscal Year 2002

Language	Clients	Percent of Total
Spanish	28,231	60%
Portuguese	4,785	10%
Vietnamese	1,750	4%
Khmer	1,569	3%
Haitian	1,258	3%
Russian	1,057	2 %
Cape Verdean	1,012	2 %
Other Languages	8,102	17%
Total	47,764	101% ¹

1 Figures do not total 100% because of rounding.

V

PUBLIC OUTREACH

Members of the Judicial Branch work tirelessly to educate the public about the essential role of the courts and to build strong partnerships between the courts and communities.

- The Massachusetts Appeals Court conducted nine sessions outside the Suffolk County Courthouse, sitting in Brockton, Newburyport, Northampton, Pittsfield, and Taunton, as well as at Boston University School of Law, Suffolk University Law School, and Western New England College School of Law. After sessions at the law schools, the Justices
- met with students to explain the Court's operating procedures and answer questions about the appellate process.
- ♦ West Roxbury
 District Court,
 Norfolk Juvenile
 Court, and
 Middlesex Probate
 and Family Court
 hosted focus-group
 sessions with frequent court users to
 promote dialogue,
 solicit suggestions,
 and assess how the
 courts were perform
- ing. Judges, clerks, and chief probation officers received positive feedback and numerous recommendations for improving the courts. The sessions were part of an ongoing series of meetings facilitated by Supreme Judicial Court Executive Director Ronald P. Corbett, Jr.
- The Public Information Office facilitated visits to appellate courts and trial courts by groups
- from around the world, including Bangladesh, Brazil, Cambodia, China, Egypt, Gaza, India, Ireland, Israel, Japan, Jordan, Mauritius, Mozambique, Nepal, Nigeria, the Philippines, Romania, Russia, Rwanda, Senegal, Serbia, South Africa, Swaziland, Tanzania, United Kingdom, Yemen, and Zimbabwe.
- ♦ Eighteen Boston area high school students successfully completed the twelfth year of the Supreme Judicial Court's Judicial Youth Corps.

Administered by the Supreme Judicial Court Public Information Office, the program includes weekly educational sessions about the court system during the spring and sum mer, as well as eight weeks of paid internships, made possible during the summer of 2002 by a grant from the Boston Private Industry Council. The educational sessions are taught by dozens of judges, court employees, attorneys and law enforcement personnel who volunteer their time.

Massachusetts judges and lawyers are sharing their expertise with members of the legal community of Tomsk, Russia, as part of an ongoing exchange of visits sponsored by the Russian American Rule of Law Consortium, funded by the U.S. Open World Program of the Library of Congress. In the photo, Supreme Judicial Court Chief Justice Margaret H. Marshall, center, meets with eight Russian judges and attorneys and an interpreter in the SJC Consultation Room in September, 2001. Standing at far right is Superior Court Judge Paul A. Chernoff, a leader of the Russian American partnership program. The Tomsk delegation observed oral arguments at the Supreme Judicial Court and jury sessions at Suffolk and Middlesex Superior Courts; met



with federal judges and appellate and Trial Court administrators, prosecutors, defense attorneys, bar association leaders and law enforcement personnel; and attended a class at Boston College Law School.

V

PUBLIC OUTREACH



Bruce N. Sachar, then President of the Essex County Bar Association standing at right in the photo, welcomes the Supreme Judicial Court to Salem before oral arguments begin during Court's sitting on October 2, 2001. The Court also heard oral arguments of five cases on appeal at Barnstable Superior Court on April 2, 2002. Sittings of the Court are held throughout the state to broaden public access and interest in appellate proceedings.



Above, some of the students, teachers, attorneys, and interested citizens who attended the Supreme Judicial Court's sitting in Barnstable listen as an attorney presents his case. To help students understand the proceedings, the SJC Public Information Office arranges for attorneys to visit classes in advance of the sittings to discuss the cases they will observe.

The SJC Public Information Office facilitated about twenty-five middle school, high school and college visits to the appellate and trial courts so that students could observe court proceedings and meet with judges, attorneys, and court personnel. Student Government Day, held on April 5, 2002, featured a brown bag lunch with Supreme Judicial Court Justice Roderick L. Ireland and eighteen high school students and their teachers.

Annual Law Day (May 1) activities were held in many courts and classrooms throughout the Commonwealth to celebrate the rule of law and our country's freedoms. Judges, clerks, probation officers, and support personnel organized programs and activities for schools and their communities. Judges, including Supreme Judicial Court Chief Justice Margaret H. Marshall, spoke to jurors about the importance of an

independent judiciary in a constitutional democracy.

Thirty-five residents of Norfolk County gained a comprehensive overview of the court system by attending the Norfolk County Criminal Justice Citizens Academy, sponsored by the Norfolk Juvenile Court and the Norfolk Probate and Family Court. Judges, clerks, probation officers, attorneys, and law enforcement personnel volunteer their services as instructors during the eight-week program.

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OTHER FACTS AND FIGURES

In delivering justice to the public, the many courts and offices of the Massachusetts Judicial Branch perform a wide range of functions and services.

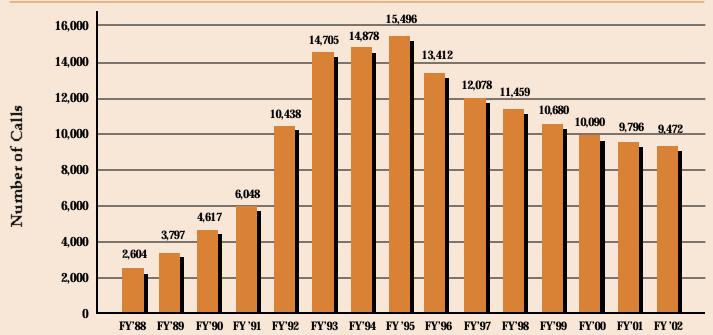
- The Office of Community Service, an arm of the Office of Community Corrections, aided local municipalities and service agencies by providing 23,000 hours of free labor each month statewide. The work was performed by an average of 5,567 community service workers engaged in approximately 1,000 projects.
- The Trial Court
 Law Libraries served

- 236,144 patrons in fiscal year 2002. Librarians at the seventeen Law Libraries answered 62,911 reference questions asked by patrons in person and by telephone, facsimile, and e-mail.
- ♦ During fiscal year 2002, 1,911 appeals were entered in the Massachusetts Appeals Court, an increase of 10.4 percent over the previous year. Civil entries increased from 881 in
- fiscal year 2001 to 1,056, while criminal entries were virtually unchanged at 855.
- After five years of modest decline, the number of criminal defendants charged in the sixty-nine divisions of the District Court increased to 252,913 in fiscal year 2002, a rise of 3.5 percent over the number charged in fiscal year 2001.
- Interest on accounts under the

Supreme Judicial Court's Interest on Lawyers' Trust Accounts (IOLTA) program totaled more than \$14 million in fiscal year 2002. Under the program, lawyers holding funds on behalf of a client must place the funds either in an account that pays interest to the client or in an IOLTA account. The IOLTA Committee distributes funds to the Massachusetts Bar Foundation. Boston Bar Foundation and Massachusetts Legal Assistance

- Corporation, which issue grants to organizations that provide civil legal services to individuals who cannot afford to hire a lawyer and to projects to improve the administration of justice.
- The number of complaints filed with the Board of Bar Overseers against attorneys in fiscal year 2002 totaled 1,178, an increase of 64 complaints over those of fiscal year 2001. The number of complaints involved 950 attorneys.

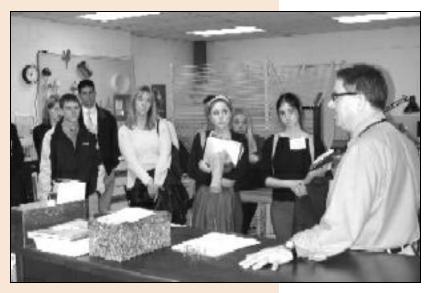
Judicial Response System, Total Number of Calls, Fiscal Years 1988 — 2002



The Trial Court's Judicial Response System provides emergency judicial intervention 365 days a year, during all hours that the courts are closed. Service on the system is mandatory for all judges in the seven departments of the Trial

Court. One judge is on call in each of eight geographic regions every week, addressing such cases as domestic violence restraining orders, medical emergencies, mental health/psychiatric hospitalizations, and search warrants.

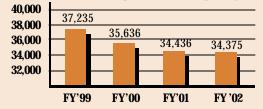
OTHER FACTS AND FIGURES



Eighteen high school students from across the state were selected as student justices for Student Government Day activities at the Supreme Judicial Court on April 5, 2001. After watching oral arguments and taking a "behind the scenes" tour of the Court, the students met with Chief Justice Margaret H. Marshall and Justice Roderick L. Ireland. In the photo at left, SJC Division of Archives and Records Preservation Director R. Bruce Shaw describes the work of his office, which identifies and preserves historically important Massachusetts court records and prepares them for use by the public.

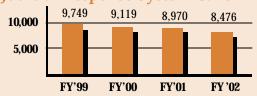
Abuse Prevention Petition Overview

Civil Restraining Order Registry



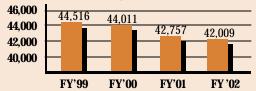
The Civil Restraining Order Registry is kept by the Office of the Commissioner of Probation. It is a central database of restraining orders issued against defendants which is used by police departments and judges.

Judicial Response System Calls



The number of requests for abuse protection and restraining orders made after court hours to judges serving on the Judicial Response System.

District/Boston Municipal/ Probate & Family Courts



The number of Abuse Prevention Petitions filed in the three Courts for the years listed.

- The SJC Committee on Judicial Ethics issued seventeen formal and fortyeight informal opinions to judges and nominees regarding ethical and professional conduct. Advisory opinions and other information about the Committee are posted on the Judicial Branch website. www.state.ma.us/courts.
- The SJC Clients' Security Board made sixtynine awards, totaling \$1,083,745.75, to clients whose lawyers had misappropriated funds. This is a 44.8 percent decrease from the amount awarded in fiscal 2001. but a 25.5 percent increase in the number of awards. Misconduct by thirty lawyers, or 0.07 percent of all lawyers actively
- practicing in the Commonwealth, caused the making of these awards. The largest single award was \$172,000 and the smallest was \$300. No public funds were used, as the money is paid exclusively through annual registration fees of lawyers.
- Twenty-four mediation programs approved by the Juvenile Court, an increase of nine from fiscal year 2001, provided a variety of services including mediation for children and families involved in Children in Need of Services(CHINS) cases and juvenile delinquency cases. Juvenile Court care and protection cases are resolved in a timely manner by specially assigning judges and establish-

- ing dedicated trial sessions where available resources exist.
- The Administrative Office of the Trial Court's Security Department's continuing emphasis on prevention, deterrence, and reporting contributed to a 6 percent decrease in security incidents from the previous year, from 1,628 to 1,530, despite losing eighty court officers and forty associate court officers to retirement and lay-
- Despite a reduction of approximately one-third of its staff, the Office of Jury Commissioner furnished courts with enough jurors to conduct juror trials, and instituted a program of cross-training of positions to ensure adequate functioning of all departments.

\mathbf{VI}

OTHER FACTS AND FIGURES

Approximately seventy-five students were encouraged to apply for Judicial Branch clerkships at the SJC Forum for Law Students of Color, held at Boston's Edward W. Brooke Courthouse in March, 2002. Students had the opportunity to meet with Supreme Judicial Court Justice Roderick L. Ireland, left, Chief Justice for Administration and Management Barbara A. Dortch-Okara, second from right, and other Justices of the Supreme Judicial Court, the Massachusetts Appeals Court, and the Trial Court.

- ♦ The Probate and Family Court secured federal funds through the Supreme Judicial Court to produce a computer-based forms preparation program. Forms ready for filing in Guardianship of a Minor cases will be generated by computer, based on petitioners' answers to simple questions.
- Central tape duplication services were provided in approximately 5,000 District Court cases, providing court users with a cassette copy of the audio record of court proceedings. Use of United Parcel Service rather than the United States Postal Service reduced the cost of returning recorded tapes to the courts by almost half.
- Graduates of the West Roxbury District Court

Probation Department's Mothers
Program benefited
from an aftercare program linking them to
community-based
services and a longterm peer advocacy
network, thanks to a
\$9,999 grant from the
Boston Police Department to the Dimock
Community Health
Center.

- The AOTC Judicial Institute accepted more than 3,100 registrations for its continuing education programs during fiscal year 2002, which were presented on numerous occasions at locations throughout the state.
- ♦ The AOTC Security Department completed its program to train and certify all court officers and associate court officers in rendering first aid, Cardio-

Pulmonary Resuscitation, and use of automated external defibrillators, which are now available in all court buildings.

- The AOTC Fiscal Affairs Department initiated and completed training on the Massachusetts Management Accounting and Reporting System for all courts and offices. Every court and office now has query access to the system, allowing them to view financial information that previously could only be obtained by contacting the Fiscal Affairs Department.
- According to the Board of Bar Overseers, there were 45,731 lawyers on active status in Massachusetts at the end of fiscal year 2002.

Board of Bar Examiners

July, 2001, Bar Examination

2,330 applicants sat for the examination

1,965 (84%) took it for the first time

1,753 (75%) passed

1,512 (66%) were from Massachusetts law schools

February, 2002, Bar Examination

674 applicants sat for the examination

484 (72%) from Massachusetts law schools

305 (45%) passed

265 (39%) took it for the first time